

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ABDUL JAMEER SHAIK,

Plaintiff,

v.

LAURA FINNEGAN et al.,

Defendants.

Case No. 24-12427

Honorable Laurie J. Michelson

ORDER DENYING SHAIK’S MOTION FOR SUMMARY JUDGMENT [23]

Abdul Shaik, proceeding pro se, filed this case on July 9, 2024. After a rocky start, Shaik provided the required service documents for the defendants on November 5, 2024. The U.S. Marshal Service mailed these documents to the defendants on November 14, 2024 (ECF No. 22), and just over a week later, Shaik filed a motion for summary judgment (ECF No. 23).

Shaik’s motion is premature. The parties have not yet had a scheduling conference with the Court, let alone engaged in any discovery. In fact, the defendants have not yet appeared or had an opportunity to answer and may not have even received the service documents yet. Pre-discovery motions for summary judgment are generally disfavored. *See, e.g., White’s Landing Fisheries, Inc. v. Buchholzer*, 29 F.3d 229, 231 (6th Cir. 1994). And pre-service motions certainly are premature. *See, e.g., Tribe v. Snipes*, 19 F. App’x 325, 327 (6th Cir. 2001) (rejecting plaintiff’s argument that the district court should have granted his pre-service motion for partial summary judgment where the “motion was premature because the defendants had

not had the opportunity to amass any evidence”); *Fowler v. Tyndale Publ. House*, No. 09-10272, 2009 U.S. Dist. LEXIS 70811, at *3–4 (E.D. Mich. Aug. 12, 2009) (“Fowler’s motion for the entry of a summary judgment which was filed before Tyndale Publishing was served with process is ‘extremely premature.’ ‘The Court cannot grant summary judgment against defendants who have not been served with process.’”) (citations omitted).

Accordingly, the Court DISMISSES Shaik’s Motion for Summary Judgment (ECF No. 23) without prejudice to refile at the appropriate time.

SO ORDERED.

Dated: December 2, 2024

s/ Laurie J. Michelson
LAURIE J. MICHELSON
UNITED STATES DISTRICT JUDGE